

ASSEMBLY BILL

No. 582

Introduced by Assembly Member Chesbro

February 20, 2013

An act to amend Section 14105.485 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 582, as introduced, Chesbro. Medi-Cal: custom rehabilitation technology services.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law requires the department to establish a list of covered services and maximum allowable reimbursement rates for durable medical equipment and requires the list to be published in provider manuals.

This bill would require the department, for purposes of establishing reimbursement rates, to recognize custom rehabilitation technology services, as defined, as a separate benefit.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14105.485 of the Welfare and Institutions
- 2 Code is amended to read:

1 14105.485. (a) Commencing July 1, 2006, any provider of
2 custom rehabilitation equipment and custom rehabilitation
3 technology services to a Medi-Cal beneficiary shall have on staff,
4 either as an employee or independent contractor, or have a
5 contractual relationship with, a qualified rehabilitation professional
6 who was directly involved in determining the specific custom
7 rehabilitation equipment needs of the patient and was directly
8 involved with, or closely supervised, the final fitting and delivery
9 of the custom rehabilitation equipment.

10 (b) Commencing January 1, 2006, a medical provider shall
11 conduct a physical examination of an individual before prescribing
12 a motorized wheelchair or scooter for a Medi-Cal beneficiary. The
13 medical provider shall complete a certificate of medical necessity,
14 developed by the department, that documents the medical condition
15 that necessitates the motorized wheelchair or scooter, and verifies
16 that the patient is capable of using the wheelchair or scooter safely.

17 (c) For purposes of this section, the following definitions apply:

18 (1) "Custom rehabilitation equipment" means any item, piece
19 of equipment, or product system, whether modified or customized,
20 that is used to increase, maintain, or improve functional capabilities
21 with respect to mobility and reduce anatomical degradation and
22 complications of individuals with disabilities. Custom rehabilitation
23 equipment includes, but is not limited to, nonstandard manual
24 wheelchairs, power wheelchairs and seating systems, power
25 scooters that are specially configured, ordered, and measured based
26 on patient height, weight, and disability, specialized wheelchair
27 electronics and cushions, custom bath equipment, standers, gait
28 trainers, and specialized strollers.

29 (2) "Custom rehabilitation technology services" means the
30 application of enabling technology systems designed and assembled
31 to meet the needs of a specific person experiencing any permanent
32 or long-term loss or abnormality of physical or anatomical structure
33 or function with respect to mobility. These services include, but
34 are not limited to, the evaluation of the needs of a patient with a
35 disability, including an assessment of the patient for the purpose
36 of ensuring that the proposed equipment is appropriate, the
37 documentation of medical necessity, the selection, fit,
38 customization, maintenance, assembly, repair, replacement, pick
39 up and delivery, and testing of equipment and parts, and the
40 training of an assistant caregiver and of a patient who will use the

1 equipment or individuals who will assist the client in using the
2 equipment.

3 (3) “Qualified rehabilitation professional” means an individual
4 to whom any one of the following applies:

5 (A) The individual is a physical therapist licensed pursuant to
6 the Business and Professions Code, occupational therapist licensed
7 pursuant to the Business and Professions Code, or other qualified
8 health care professional approved by the department.

9 (B) The individual is a registered member in good standing of
10 the National Registry of Rehabilitation Technology Suppliers
11 (NRRTS), or other credentialing organization recognized by the
12 department.

13 (C) The individual has successfully passed one of the following
14 credentialing examinations administered by the Rehabilitation
15 Engineering and Assistive Technology Society of North America
16 (RESNA):

17 (i) The Assistive Technology Supplier examination.

18 (ii) The Assistive Technology Practitioner examination.

19 (iii) The Rehabilitation Engineering Technologist examination.

20 (d) *Notwithstanding Section 14105.48 or any other law, and*
21 *for purposes of establishing reimbursement rates, the department*
22 *shall recognize custom rehabilitation technology services, as*
23 *defined in paragraph (2) of subdivision (c), as a separate benefit.*